

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

BRITTANY WILLIAMS,

Plaintiff,

v.

No: 8:21-cv-1726-WFJ-AEP

LOWE'S HOME CENTERS, LLC,

Defendant.

_____/

ORDER

This matter comes before the Court on Defendant's Motion to Dismiss, Dkt. 7, pursuant to Fed. R. Civ. P. 12(b)(5) for insufficient service of process. In response, Plaintiff filed a motion to deny relief, Dkt. 9, maintaining that she effectively served process by both mailing her Complaint to Defendant's local store and dropping it off at that store. Defendant argues that Plaintiff's Complaint, Dkt. 1, should be dismissed because Plaintiff failed to properly serve the defendant limited liability company as required by Fed. R. Civ. P. 4(h). Upon consideration, the Court agrees with Defendant that Plaintiff has not properly served process. The Court will allow Plaintiff thirty days to properly serve her Complaint pursuant to Fed. R. Civ. P. 4(h). If Plaintiff fails to serve her Complaint within thirty days, her case will be dismissed without prejudice.

The Court strongly advises Plaintiff to seek the assistance of counsel. Plaintiff is encouraged to contact Bay Area Legal Services at (800) 625-2257, where an attorney may choose to take on her case or advise her at no cost.

Accordingly, Plaintiff's motion, Dkt. 9, in opposition to Defendant's Motion to Dismiss is denied as moot and treated as her response. Defendant's Motion to Dismiss, Dkt. 7, is granted with leave for Plaintiff to properly serve her Complaint consistent with this order.

DONE AND ORDERED at Tampa, Florida, on August 13, 2021.

/s/ William F. Jung
WILLIAM F. JUNG
UNITED STATES DISTRICT JUDGE

COPIES FURNISHED TO:
Counsel of Record and Plaintiff, *pro se*